

DEBORAH A. COOKSEY, State Bar No. 118197  
 MARTIN H. KRESSE, State Bar No. 048132  
 MICHAEL L. SMITH, State Bar No. 217751  
 OAKLAND UNIFIED SCHOOL DISTRICT  
 1025 Second Avenue, Room 406  
 Oakland, CA 94606  
 Telephone: (510) 879-8535  
 Fax: (510) 879-1833

Attorneys for Defendants  
 OAKLAND UNIFIED SCHOOL DISTRICT,  
 KIMBERLY STATHAM and GOVERNING BOARD OF  
 THE OAKLAND UNIFIED SCHOOL DISTRICT

IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

FARM MENG SAEPHAN,  
 Plaintiff,

vs.

OAKLAND UNIFIED SCHOOL DISTRICT;  
 KIMBERLY STATHAM, State Administrator of the  
 Oakland Unified School District; GOVERNING  
 BOARD OF THE OAKLAND UNIFIED SCHOOL  
 DISTRICT,  
 Defendants.

Case No. C 06 4428 JCS

**STIPULATION AND ~~PROPOSED~~ ORDER  
 CONTINUING APRIL 4, 2008 FURTHER  
 CASE MANAGEMENT CONFERENCE TO  
 MAY 30, 2008**

Plaintiff FARM MENG SAEPHAN and Defendants OAKLAND UNIFIED SCHOOL  
 DISTRICT; KIMBERLY STATHAM, State Administrator of the Oakland Unified School District;  
 GOVERNING BOARD OF THE OAKLAND UNIFIED SCHOOL DISTRICT, (collectively  
 "Defendants"), by and through their respective attorneys of record, agree as follows:

WHEREAS, the parties have entered into a settlement in principle and are presently  
 engaged in negotiating and drafting the terms of the settlement agreement which would lead to the  
 potential resolution of this matter in its entirety, with drafts of the settlement agreement transmitted  
 from Defendants' counsel to Plaintiff's counsel on December 11, 2007; from Plaintiff's counsel to  
 Defendants' counsel on January 14, 2008; from Defendants' counsel to Plaintiff's counsel on  
 February 20, 2008; and written comments transmitted from Plaintiff's counsel to Defendants'

1 counsel on March 18, 2008;

2 WHEREAS, because of the relative complexity of the anticipated settlement, the parties  
3 remain engaged in negotiating and drafting the terms of the settlement agreement, and have  
4 narrowed the matters at issue which remain to be negotiated and potentially resolved;

5 WHEREAS, the parties remain confident that they will arrive at a mutually-agreeable  
6 settlement agreement;

7 WHEREAS, the parties wish to avoid burdening the Court with potentially avoidable  
8 proceedings regarding this matter;

9 WHEREAS, the attorneys for Defendants responsible for negotiating the settlement are  
10 unavailable from Monday, March 24 through Monday, March 31, 2008 and Plaintiff's counsel is  
11 anticipated to be in trial from approximately April 1 through 4, 2008;

12 WHEREAS, the parties anticipate that any settlement agreement should be finalized by May  
13 20, 2008;

14 WHEREAS, the parties appreciate the Court's ongoing consideration and patience in  
15 allowing them ample time to arrive at a potential mutually agreeable final settlement; and

16 WHEREAS, a further case management conference is presently set for April 4, 2008 at  
17 10:30 a.m.;

18 IT IS THEREFORE STIPULATED AND RESPECTFULLY REQUESTED that the Court (1)  
19 continue the April 4, 2008 further case management conference to Friday, May 30, 2008 at 1:30  
20 p.m. and (2) require the parties to file by Tuesday, May 20, 2008 an updated case management  
21 statement and [proposed] order which sets forth new proposed deadlines and cutoff and trial dates

22 ///

23 ///

24 ///

1 regarding those which were vacated by this Court's December 4, 2007 Order.

2 **IT IS SO STIPULATED.**

3 Dated: March 24, 2008

DEBORAH A. COOKSEY  
Interim General Counsel

4  
5 By: /s/

Michael L. Smith  
Attorneys for Defendants

6  
7 Dated: March 24, 2008

THE LEGAL AID SOCIETY  
Christopher Ho

8  
9 By: /s/

Christopher Ho  
Attorneys for Plaintiff

10  
11 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that (1) the April 4, 2008 further  
12 case management conference is continued to Friday, May 30, 2008 at 1:30 p.m. in Courtroom A  
13 and (2) the parties are required to file by Tuesday, May 20, 2008 an updated case management  
14 statement and [proposed] order which sets forth new proposed deadlines and cutoff and trial dates  
15 regarding those which were vacated by this Court's December 4, 2007 Order.

16 **IT IS SO ORDERED.**

17 Dated: March 24, 2008

18 THE HONORABLE JUDGE JOSEPH C. SPERO

